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The HIDING OF THE
CHARTER

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The HIDING OF THE *CHARTER*

By

CHARLES J. HOADLY, LL.D.

*Librarian Connecticut State Library. President Connecticut
Historical Society*



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THE FOLLOWING PAPER WHICH WAS PREPARED FOR THE
CONNECTICUT HISTORICAL SOCIETY WAS ALSO READ
BEFORE THE *NEW HAVEN COLONY HISTORICAL SOCIETY*.

George Chalmers, on page 298 of his *Political Annals*, published in London in 1780, tells us that in the time of King James II the charter of Connecticut was carefully concealed in a venerable elm, which to that day was deemed sacred as the preserver of their constitution. This is the earliest mention of the hiding of the charter in a tree, so far as the present writer knows. Chalmers very likely may have had his information from Rev. Samuel Peters, who had been forced to flee from his native country on account of toryism and was then in London, in whose *General History of Connecticut* published in London the next year, "An elm esteemed sacred for being the tree in which their charter was concealed" is enumerated among the curiosities of Hertford.

That the tree is called an Elm is no great matter: many persons do not discriminate the different kinds of trees, and in this part of the country a large tree standing by itself is presumably an elm rather than an oak.

Gershom Bulkeley, who wrote his book *Will and Doom* in 1692, says: "The charter it seems they preserved; J(ames) F(itch) triumphs and tells us it is safe at Hartford." But, in 1692, the fact that the Colony was in possession of the charter was of far

greater interest than was the story of how it was preserved; and as King William had not then recognized the validity of the charter, those who had been active in preventing the agent of his predecessor from getting hold of it naturally would not care to boast much of their connection with that affair, but, on the other hand, would be inclined to keep it as much in the background as might be, for reasons of personal safety.

Now I am not about to say that the charter of Connecticut was not hidden in the famous oak formerly standing before the Wyllys house. I believe it was. I do not see reason to doubt the tradition. But there were two charters, and which of them was hid in the tree, when it was hid, and who hid it, are questions which seem to present some difficulties, as will be seen by what follows.

The charter arrived in this country in September, 1662. At a Court of Election October 9th of that year, held at Hartford, it was publicly read in the audience of the freemen and declared to belong to them and their successors. Another copy was received before November 17th of the same year, brought, as is supposed, by a different ship. The freemen, Oct. 9th, 1662, had made choice of Samuel Wyllys, John Talcott, and Lt. John Allyn, as a committee under oath to take the charter into custody in behalf of the freemen. The General

Assembly, August 19th of the next year, desired Governor Winthrop to deliver the duplicate to the same committee, to keep it in behalf of the freemen.

There were some slight differences between the copies, not, however, affecting the sense. One seems to have ended thus: "By writ of privy seal, per fine five pounds."¹ This copy has been thought by some to have been the first received, because several very early transcripts end in the same manner. The writer has a seventeenth century copy by an unknown hand with the same ending, and other similar copies are extant. The copy in the Secretary's office does not have the words, "Per fine five pounds." That copy is on three skins and is thought to have been more highly ornamented than the other, which, it has been supposed, was engrossed on two skins. Both were duplicates, but naturally the handsomer would probably be selected as the principal. It was from the copy now in the Secretary's office that the charter was printed as it is found prefixed to editions of the statutes prior

¹ This phrase is the ear-mark which determines, beyond all doubt, that the copy bearing it is the original. The translation of the entry made on the 10th day of May, 1662, in the accounts of the clerks of the Hanaper, who took the office fees from grantees in respect of such patents, reads as follows:

"For the Charter of the Governor and Company of the Colony of Connecticut in New England in America of grant to them and their successors viij^{li}. ix^s.

"For the fee thereupon v^{li}.

"For the Duplicate Charter of the same letters patent, xx^s. iiij^d."

to the adoption of the state constitution. The General Assembly in October, 1700, ordered that in printing the (revised) laws the charter should be printed at the beginning of each book, but this does not seem to have been done: so, in October, 1718, it was resolved "that the Secretary draw out a copy of the charter of this government and transmit the same, as soon as he can, to the printer, who is ordered to imprint the same and take off at least two hundred copies thereof for the use of the inhabitants of this Colony." Green's bill for the work was £4:3:8. This is the edition with the date 1718, usually found with the volume of *Acts and Laws* printed at New London in 1715, and is the first known to have been printed. This was printed on four leaves: the title, reverse blank, charter 6 pp. Some copies of the *Laws*, edition of 1715, have prefixed the charter printed on two leaves, in finer type—without a separate title page. The charter as printed in 1794, in Hazard's *Historical Collections*, Vol. II, page 597, ends with: *Per breve de private sigillo*, and was taken from a quarto printed in London, 1766, containing a collection of American Charters, which as I suppose were derived from the records there.

When it became the policy of the last two Stuart kings to break down municipal corporations it was not difficult to find a pretext for attacking the

charter of Connecticut. The Colony had, partly from supposed necessity and perhaps more through ignorance, done various things beyond the strictly legal limits of the powers conferred by its charter. Accordingly two writs of *quo warranto* were issued against the Colony, both dated July 8th, 1685: one returnable on the octave of St. Martin,¹ the other on the quinzaine of Easter.² They were received by the Governor July 21st, 1686, a considerable time after the return days had passed. A third writ, dated October 23d, 1686, came to hand on the 28th of December following, and was returnable on the octave of the Purification.³ Special sessions of the General Court were called to consider the subject.

Although more powerful corporations had been compelled to succumb and Connecticut was poor and without influential friends at the King's Court, no vote for a surrender of the charter could be obtained; many of the freemen choosing, if they must be deprived of it, not to be active in parting with it, looking on that as a kind of political suicide. Addresses were made to the King, asking to be continued in the same state, and an agent was appointed in London, who, not being in high

¹*I. e.*, Nov. 18, for St. Martin's day is Nov. 11th.

²Apr. 19th.

³*I. e.*, Feb. 9th.

station nor liberally supplied with money, was of course unable to effect anything, however well disposed and desirous he may have been to do so.

Some leading men in the Colony were of opinion that it was best not to contend with the King, for the contest would end in but one way, and better terms might be hoped for on a voluntary surrender. Whereas should the Colony hold out it might be divided by the river and the western half annexed to New York; for Governor Dongan of New York and Governor Dudley of Massachusetts were each desirous to have Connecticut annexed to his own government. Among those who were supposed to regard submission as the better policy were Governor Treat and Secretary Allyn, both of whom were appointed members of Andros's Council when Connecticut was annexed to the territory and Dominion of New England. Three of the principal magistrates addressed this communication to the General Assembly:

“Gentlemen: Upon the reasons which have been laid before you, with many more that might be given, we do declare that we do verily believe it is for the advantage of this court, freely and voluntarily to submit yourselves to his majesty's dispose, and not to begin or hold any further suits in law with his majesty, which in no wise can be expected will promote our profit or welfare. And for our

own parts we do declare, and desire you would take notice, we are for answering his majesty's expectation, by a present submission, and are against all further prosecutions or engagements by law-suits in opposition to his majesty's known pleasure for our submission.

30th March, 1687.

John Talcott,
John Allyn,
Samuel Talcott."

There were other men of influence in the Colony who were of opinion that it was advisable to accept his Majesty's gracious offer to receive the surrender of the charter rather than to stand a trial. Among these was Fitz John Winthrop, afterwards Governor of Connecticut, who although living in New London had been appointed one of the Council for New England before Connecticut had been annexed thereto. To him on February 30, 1686-7, Secretary Allyn wrote "I have hoped that this time we should have been ready to have joined our divisions and to have made an entire body, but by our statesmen it is thought not convenient yet, and they will not be moved beyond their pace; notwithstanding the advantage that offers to encourage a present union, they will not be persuaded to it. It looks so like a giving away that which is precious to them, which they can rather be passive than

active in parting with it; and also those difficulties that threaten the standing out, as the procuring his majesty's displeasure, making the terms the harder, and losing the little share we possibly might have in the government if cheerfully submitted to, seems of little weight with too many. The result of present considerations are that we must stand as we are until his Majesty farther dispose of us, and all that is gained is our gentlemen rather choose to be conjoined with Massachusetts than with any other province or colony."

That the Colony would be deprived of its charter seemed inevitable, and so, in anticipation of that event, the yet undivided lands were parcelled out and townships were ordered to take out patents for their grants under the seal of the Colony. And here may be a convenient place to explain why in Sir Edmund Andros's time we in Connecticut had no trouble with respect to land titles as they did in Massachusetts: Lands had been granted in the latter colony but not under the public seal. Now at common law a corporation can only act by its seal. While the Massachusetts charter stood those grants were good, for no one can take advantage of his own wrong, but when that charter fell those grants not having been legally perfected necessarily fell with it. Sir Edmund Andros offered to confirm titles on payment of a moderate quit-rent, but this

seemed very hard to men who had held the lands for almost sixty years and by whose labors they had acquired whatever value they possessed. Now the General Court of Connecticut so early as May, 1685, "for the prevention of future trouble, and that every township's grants of land as it hath been obtained by gift, purchase or otherways, of the natives and grant of this court, may be settled upon them, their heirs, successors and assigns forever, according to our charter granted by his late Majesty of happy memory," as recited in the preamble of the act, had ordered that patents should be taken out, sealed with the seal of the Colony. These patents, executed with the proper legal formalities while the charter was still in force, would be good and valid whatever might befall.

The record of a special session of the General Court held at Hartford, June 15th, 1687, ends thus:

"Sundry of the court desiring that the Patent or Charter might be brought into the Court, the Secretary sent for it, and informed the governor and court that he had the charter and showed it to the court; and the governor bid him put it into the box again and lay it on the table, and leave the key in the box, which he did forthwith.

"The court adjourned till the governor or deputy see cause to call them together again."

Now this is a singular entry and looks as though Secretary Allyn had framed it thus in order to exculpate himself for the disappearance of the charter. Perhaps "sundry of the court" were apprehensive that he was too willing to give it up to Sir Edmund and were determined that it should not be in his power to do so. He had produced the charter in court, was bidden to lay it on the table and leave the key in the box, and the court had adjourned without taking further order in the matter, so he was relieved of responsibility about it.¹

The summer wore away. The regular session of the General Court was held in October, as usual. The change in government, which was generally expected, did not come. In reply to Andros, who pressed for a surrender of the charter, the General Court gave as a reason for non-compliance: "We have by our several addresses formerly sent to his Majesty left ourselves to be guided and disposed by his princely wisdom, and have not received any return or direction from his Majesty since."

¹ In May, 1664, on the eve of the expected arrival of the royal commissioners in New England, the Massachusetts General Court passed this order:

Forasmuch as it is of great concernment to this commonwealth to keep safe and secret our patent, it is ordered the patent and duplicate belonging to the country be forthwith brought into the court, and that there be two or three persons appointed by each house to keep safe and secret the said patent and duplicate in two distinct places as to the said committee shall seem most expedient.

Mass. Records, IV, part 2, p. 102. Hutchinson, 1, p. 230.

The commissioners arrived in New England toward the last of July, 1664.

The Governor and Secretary by order of the General Court had written, January 26th, 1686-7, to the Earl of Sunderland, secretary of state, after referring to the writs of *quo warranto*: "We are his Majesty's loyal subjects, and we are heartily desirous that we may continue in the same station that we are in, if it may consist with his princely wisdom to continue us so: But if his Majesty's royal purposes be otherwise to dispose of us, we shall, as in duty bound, submit to his royal commands; and, if it be to conjoin us with the other colonies and provinces under Sir Edmund Andros, his Majesty's present governor, it will be more pleasing than to be joined with any other province."

When this letter was received at Whitehall it was easily construed as containing a surrender of the charter, and orders were sent to Sir Edmund Andros to take the government of Connecticut upon himself. Accordingly, having given notice of his intention, Sir Edmund came to Hartford on Monday, October 31st, toward the close of the day. He was attended by several members of his council and by his guard, about sixty persons in all. There was some conference that evening between him and the General Court, but all the record of what took place is the following: "A general court held at Hartford, October 31, 1687, by order of the governor.

“His Excellency, Sir Edmund Andros, Knight, captain general and governor of his Majesty’s territory and dominion in New England, by order from his Majesty James the second, King of England, Scotland, France and Ireland, the 31 of October, 1687, took into his hands the government of this colony of Connecticut, it being by his Majesty annexed to the Massachusetts and other colonies under his Excellency’s government. Finis.”

For what occurred at that evening session we have only tradition to depend upon. Jeremy Dummer in his *Defence of the New England Charters*, first published in 1721, says that “Sir Edmund Andros, then the King’s governor of New England, did by order from court repair to Hartford, the capital of Connecticut, with armed attendants, and forcibly seized their charter for the King.”

Dr. Benjamin Trumbull’s *History of Connecticut*, printed in 1797, says: “About this time Sir Edmund with his suit and more than sixty regular troops came to Hartford when the Assembly were sitting, demanded the charter and declared the government under it to be dissolved. The Assembly were extremely reluctant and slow with respect to any resolve to surrender the charter or with respect to any motion to bring it forth. The tradition is, that Governor Treat strongly represented the great expense and hardships of the colonists in planting the

country, the blood and treasure which they had expended in defending it, both against the savages and foreigners; to what hardships and dangers he himself had been exposed to for that purpose; and that it was like giving up his life now to surrender the patent and privileges so dearly bought and so long enjoyed. The important affair was debated and kept in suspense until the evening, when the charter was brought and laid upon the table where the assembly were sitting. By this time great numbers of people were assembled and men sufficiently bold to enterprise whatever might be necessary or expedient. The lights were instantly extinguished, and one Captain Wadsworth, of **Hartford**, in the most silent and secret manner carried off the charter and secreted it in a large hollow tree fronting the house of the **Hon. Samuel Wyllys**, then one of the magistrates of the Colony. The people appeared all peaceable and orderly. The candles were officiously relighted, but the patent was gone and no discovery could be made of it or of the person who had conveyed it away. Sir Edmund assumed the government."

Governor Roger Wolcott, at the age of 80, in a manuscript *Memoir relating to Connecticut*, written for President Clap and dated July 12th, 1759, says: "In October, 1687, Sir Edmund Andros came to **Hartford**. The assembly met and sat late at night-

They ordered the charters to be set on the table, and unhappily or happily, all the candles were snuffed out at once, and when they were lighted the charters were gone. And now, Sir Edmund being in town and the charters gone, the secretary closed the colony records with the word 'Finis' and all departed." In 1764, Roger Wolcott, aged 85, gave President Stiles this story, which the latter recorded in his *Itinerary*: "Nath. Stanly, father of late Col. Stanly, took one of the Connecticut charters, and Mr. Talcott, late Gov. Talcott's father, took the other, from Sir Edmund Andros in Hartford meeting-house,—the lights blown out."

Rev. Thomas Ruggles, minister of Guilford, 1729 to 1770, succeeding his father, ordained in the same town in 1695, in his *History of Guilford* written in 1769, but not printed until 1809, speaking of Andrew Leete, says: "It is said and believed (that he) was the principal hand in securing and preserving the charter, when it was just upon the point of being given up to Sir Edmund Andros. In his house it found a safe retirement until better times."¹

¹In the *History of Guilford*, from the manuscript of Hon. Ralph D. Smith, published in 1877, after his death, in an account of William Seward, on pages 19 and 20, it is said:

"For a long time he was captain of the guard in Guilford, and an anecdote is related of him, that, when the charter of the state was supposed to be concealed in Guilford, during the usurpation of Edmund Andros, by Governor Leete's family, and delegates were sent down to seize and bring it to Hartford,

Dummer's statement that the charter was forcibly seized for the King, may be readily dismissed. We do not certainly know that Andros even asked for it. Apparently Andros did not know of the disappearance of the charter for he makes no mention of it in his letter to the Board of Trade wherein he gives an account of the annexation of Connecticut to the Dominion of New England. It was not essential to the dissolution of the colonial government that Sir Edmund should have actual possession of the charter. He did not get that of Rhode Island, but it is stated that the public seals of both colonies were delivered up to him. Connecticut was effectually annexed to and became a part of the Dominion, and the former colonial government ceased. The Governor and Secretary were made councillors, they and all the assistants, without exception, made judges or justices, and all accepted and took the oath of office. Probably no one will assert that this was done under compulsion.

Mr. Seward marched his company, with their muskets loaded, down to the southeast corner of the green, where the delegates were lodged, and paraded them in front of the house to the beat of the drum. On being asked by the delegates what they wanted, the captain informed them that he came to escort them out of town, and that he would not leave with his men until they had left, which must be as soon as possible. The delegates seeing their danger accepted the escort thus forced upon them and left. Mr. Seward died March 2, 1689, aged sixty-two years." Apocrychal. William Seward does not appear ever to have been captain.

Dr. Trumbull is the author of the common story. His account is somewhat embellished, but undoubtedly he had his information, in part at least, from the traditions of the Wyllys family, and there is one point in which they could hardly be mistaken—that is, the identification of the tree in which the charter was hid. But it may be remarked in passing, that in neither edition of his *History* does Dr. Trumbull call it an oak. However, it seems to have been called an oak, in print, by Jedidiah Morse in his *Geography* published in 1789—eight years before Dr. Trumbull's *History* appeared. It is called an oak in the first edition of Holmes' *Annals*, 1805. Dr. Trumbull is in error in saying that Samuel Wyllys was one of the magistrates at the time. He had been elected an assistant in 1684, but was not again chosen until the revolution in May, 1689, and neither he nor any of his family were holding any colonial office in 1687. Dr. Trumbull's account seems to imply that there was a meeting of the General Court on Monday October 31st, in the day time. That may have been, but as Sir Edmund and his company came from Norwich that day, reckoned thirty-eight or forty miles distance, it is certain that they could not have reached Hartford before candle light. Indeed I should hardly think that he could have met the court before eight o'clock. Thirty-eight miles horseback riding is a

pretty stiff day's work, even on good roads, but two centuries ago neither were the roads very good nor the facilities for crossing streams as ample as now; and sixty or so could not ride so fast as one man might. Moreover, they would want some refreshment after their long journey. We must also bear in mind the difference of style — Oct. 31, 1687, would be now Nov. 10, and the afternoon would be pretty short — the sun setting at about 4:37.

Roger Wolcott was born in Windsor in 1679. His opportunities for obtaining information on the subject were of the best: for in May, 1715, when he was an assistant, this bill was introduced into the Lower House: "Upon consideration of the faithful and good service of Capt. Joseph Wadsworth, of Hartford, especially in securing the Duplicate Charter of this colony in a very troublesome season when our constitution was struck at, and in safely keeping and preserving the same ever since unto this day: This Assembly do, as a token of their grateful resentment of such his faithful and good service, grant him out of the colony treasury the sum of four pounds."¹ The bill passed the Lower House but was negatived in the Upper. A committee of conference was appointed and both houses agreed to give Wadsworth twenty shillings.² In

¹ § 13.33¹/₃.

² § 3.33¹/₃.

the early part of the same session Wadsworth, one of the deputies for Hartford, had said something offensive to some members of the Assembly, particularly of the Upper House, for which he was compelled to make an acknowledgment and receive an admonition from the Governor, and the bill making him a grant was perhaps intended as an offset for the reproof he had received. Of the committee of conference, to which reference has been made, Roger Wolcott was a member and so, most likely, heard from Wadsworth's own lips what occurred on that evening of October 31, 1687. He might also have heard from Cyprian Nichols, of Hartford, and Ebenezer Johnson, of Derby, both members of the Lower House in 1715, if they were the persons who by the same names were deputies for the same towns in June and in October, 1687, whatever information they possessed.

It will probably be thought strange that in neither account does Roger Wolcott mention the name of Wadsworth. I venture to suggest this possible explanation for the omission: The charter when brought in would most likely be placed on the table before the presiding officer at the upper end of the room. Wadsworth not being a member of the Court, which then sat as one body and was not divided into two houses until 1698, would have no right to be there, but Stanly, a deputy

for Hartford, and Talcott, an assistant, would. We must remember that evening meetings of any kind were then rarely held and so the facilities for lighting a meeting house slender, very likely limited to a few candles on the table, which may have been put out by design or by accident, for the end of October is apt to be breezy; and before the candles were relighted Stanly or Talcott took the duplicate charter; it was passed on to Wadsworth, who carried it away. This may have happened before Andros came in. Now Wadsworth's part would be only a subordinate one and left no strong impression on Wolcott's mind, the most important act being that of the person who took it from the table. From the smallness of the grant originally proposed to be given him and the action of the General Court about it, it would seem as if that body did not regard what Wadsworth did in the affair as of great importance. Stanly and Talcott were both dead before 1715. It was the Duplicate only which Wadsworth secured and which he concealed in his cellar according to a tradition among the descendants, and not in the oak. Roger Wolcott makes no mention of a tree in connection with the taking of the charter.

Wadsworth kept the duplicate in his possession from 1687 to 1715, as stated in the grant made him

in that year. In the meantime we get this glimpse of it: "At a meeting of the governor and council in Hartford, May 25th, 1698. The duplicate of the patent by order from the governor and council being brought by Capt. Joseph Wadsworth, and he affirming that he had order from the general assembly to be the keeper of it, the governor and council concluded that it should remain in his custody till the general assembly or the council shall see cause to order otherwise; and the said duplicate was delivered to him by the order of the council."

A few words about the original charter: In 1817 or 1818, while the late John Boyd, Secretary of Connecticut 1858-61, was preparing for college at the Hartford Grammar School he boarded in the family of Rev. Dr. Flint of the South Church. Coming in one day from school he noticed on the work-stand of Mrs. Bissell, the doctor's mother-in-law, a dingy piece of parchment covered on one side with black letter manuscript. In answer to his inquiries, Mrs. Bissell told him that having occasion for some pasteboard, her friend and neighbor, Mrs. Wyllys, had sent her this. Mr. Boyd proposed to procure her a piece of pasteboard in exchange for the parchment, to which Mrs. Bissell consented. It was not, however, until six or eight years had elapsed that Mr. Boyd examined the parchment with care, when for the first time he learned what its

contents were. So much of the original as remains, being about three-fourths of the second skin, is now in the possession of the Connecticut Historical Society where it was placed by Mr. Boyd.

As to what Mr. Ruggles says about Andrew Leete and his having the charter in his house, I see no inherent improbability in the story. Perhaps the charter might have been safer in Guilford than in Hartford between November 1687 and May 1689. The Ruggles MS. was unknown to Dr. Trumbull, and perhaps he never saw the two statements I have quoted from Roger Wolcott. It may be that Leete is one of those referred to when, in June, 1687, "sundry of the court" desired that the patent or charter might be brought in.

Whether the taking and concealing the charter occurred June 15th, 1687, and that of the duplicate on the last day of October in that year, or whether both, as Roger Wolcott seems to say, were taken at the latter date we cannot say with positiveness. The affair was conducted so silently and privately that at the time and for a considerable period afterwards it was not generally known even that the charter had disappeared. There was nothing dramatic or sensational in the matter. Secrecy was essential both for the security of the persons concerned and for the safety of the charter.

I find it difficult to believe that both charters

were laid on the table on that Monday evening. We find on record that the charter was produced in Court June 15th, 1687, and left on the table at the adjournment. We have the account also that Wadsworth secured the duplicate, October 31st. We do not find any statement that he secured both. Possibly Dr. Trumbull who did not live in Hartford, knowing the tradition of the charter having been hid in the tree and finding on record mentioned that Wadsworth secured the duplicate, assumed that he concealed it there, the doctor perhaps being unaware that there were two copies. At any rate Dr. Trumbull, writing more than a hundred years after the event, is the sole authority for that story, and I have mentioned the tradition among Wadsworth's descendants that he hid it, not in the oak but in his house.

When her colonial government was dissolved and Connecticut was annexed to the Dominion of New England no one could have foreseen that the charter would ever be revived; so the charter must have been preserved more for sentimental reasons than from a well-grounded expectation that it would again become of practical importance as an instrument of government.

Roger Wolcott tells us that Nathaniel Stanly took one of the charters and John Talcott took the other. Now may it not have been that Stanly,

after the Court adjourned in June, 1687, took the original charter, and hid it in the tree? Stanly lived in Main street, just north of the little river. Talcott and Wadsworth lived to the northward of the meeting house. Talcott from a document cited on an earlier page appears to have been willing to comply with the King's demands; still he may have been the person who took the duplicate from the table in October. He died in 1688. Stanly, as we know, was an active promoter of the revolution of 1689, and it may be that he was of the party opposed to the surrender in 1687. Leete may afterwards have taken the charter to Guilford. At any rate the charter was not left long in the oak, as there was danger of its being injured by moisture or vermin or of its being found by some one, perhaps unfriendly. However preserved, it was ready to be produced on May 9th, 1689. I have an impression that, as in Rhode Island, so in Connecticut, it was customary to show the charter to the people on election day. Had it been out of their power to do so on May 9th, 1689, would it not have been difficult for the former government to resume the administration, and would there not have been found a much larger number unwilling to obey the resumed government? There was enough of that class as it was.

This much is established: That both charters were

preserved; that one of them, presumably the duplicate which is now in the office of the Secretary of State, was preserved, through the instrumentality of Wadsworth who retained it until 1715. But it is not certain who put the original charter into the tree or when it was done.

About 1840, the charter was kept in its box in the Secretary's office, unprotected by any case; and persons used to get off bits of the box or of the leather covering it as souvenirs. The seal had then disappeared, probably having been taken bit by bit by relic hunters. I have understood that so long ago as 1810, but about half of it remained. It was of dark green wax. The box and some fragments of the seal are now in the possession of the Connecticut Historical Society. The charter was framed in Secretary Hinman's time, and the present one is the third frame which has enclosed it. The first was of mahogany; the second veneered with wood of the Charter oak presented by I. W. Stuart; the third, procured at the time of removal to the present capitol.

Joseph Wadsworth, the son of William, was born in Hartford in 1647 or 1648. In Sept., 1675, as sergeant, he was ordered to conduct a party of twenty men to assist in defending Westfield, Mass. In January following he was appointed by the Council, lieutenant in Capt. John Stanly's com-

pany,— part of the forces from Hartford county. He was propounded as a freeman of the Colony in May and admitted in Oct., 1676. He was probably made lieutenant of the Hartford north side train band in Sir Edmond Andros's time, and certainly established as such by the General Court Sept. 1689, and captain in Oct., 1697. He represented Hartford in the Assembly at seventeen sessions between 1685 and 1715, having Cyprian Nichols as his colleague each time, and was called to sit in the Council in Aug. 1726. The story of his threat, in Oct. 1693, to make the sun shine through Gov. Fletcher told by Dr. Trumbull¹ seems flatly contradicted in a pamphlet published by order of the Governor and Assistants in 1694.² In Feb. 1702-3 he opposed the constable of Hartford, who was attempting to arrest a fugitive slave. In October, 1703, while a deputy, he had been fined for speaking reproachful words in the General Assembly, though the fine was remitted in October of the next year.³ In May, 1708, for threatening the sheriff, the Court of Assistants placed him under bonds of "twenty pounds, lawful money, conditioned for his peacable and good behaviour towards all her

¹ I, p. 393.

² Col. Conn. Hist. Soc., I, 99.

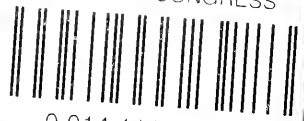
³ Col. Recs. of Conn., IV, 453.

Majesty's subjects, and especially her officials."¹ He seems to have been a bold man acting much upon impulse and not very careful to guard his tongue. The stories about him with respect to the charter and with respect to Gov. Fletcher are certainly in character. He died, according to Savage, in 1730. There is no gravestone to his memory.

¹ Record Court of Assistants, II, 95.



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